



General Assembly

Substitute Bill No. 7069

January Session, 2017

* _____HB07069ENV_____031317_____*

AN ACT CONCERNING CERTAIN REQUIREMENTS OF COMMISSION SALES STABLES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22-277 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2017*):

3 (a) As used in this section, "livestock animal" means any camelid or
4 hooved animal raised for domestic or commercial use. The
5 Commissioner of Agriculture shall supervise commission sales stables
6 where livestock animals are sold at public auctions. Any person, firm
7 or corporation engaged in the business of selling livestock animals at
8 such auctions or sales shall annually apply to said commissioner for a
9 license upon a form to be prescribed by the commissioner. The fee for
10 each such license shall be one hundred ninety dollars, payable to said
11 commissioner. Each such license shall be issued for the period of one
12 year from July first and may be revoked for cause. If, in the judgment
13 of the commissioner, any provision of this section has been violated,
14 the commissioner shall send notice by registered or certified mail to
15 the licensee, who shall be given a hearing, and, if violation is proven,
16 the license shall be revoked. If a license to deal in livestock, issued to
17 any person, firm or corporation by another state, has been suspended
18 or revoked by such state within five years next preceding the date of
19 issuance or renewal of a license to such person, firm or corporation

20 under the provisions of this section, such suspension or revocation
21 shall constitute just cause for revocation under this section. All dairy
22 animals to be sold at such auction shall be segregated from beef
23 animals prior to such sales. The sale of dairy animals shall precede the
24 sale of those assigned for slaughter. All bovines more than three
25 hundred pounds in weight, except dairy and breeding animals, that
26 are delivered to a sale shall be branded with the letter "S" in a
27 conspicuous place or identified in a manner acceptable to the
28 commissioner or the commissioner's designee by the operator of the
29 sale or the operator's representative. All dairy and breeding animals
30 from within the state arriving at a sale shall be from a herd that: (1) Is
31 under state supervision for the control of brucellosis and tuberculosis
32 and that has been tested for brucellosis and tuberculosis less than
33 fourteen months before the sale, (2) has been tested for tuberculosis
34 less than fourteen months before the sale and is regularly tested under
35 the brucellosis ring test program of the Department of Agriculture, or
36 (3) is certified to be brucellosis-free under the program established
37 pursuant to section 22-299a. All dairy and breeding animals arriving at
38 a sale from outside the state shall comply with section 22-304 and be
39 accompanied by a health certificate issued by the livestock official of
40 the state of their origin and by [a] an import permit from the
41 commissioner. All animals offered for dairy or breeding purposes
42 [over six months of age] shall be identified by an official ear tag, [a
43 tattoo or registration papers] or by a breed registration number if
44 accompanied by the corresponding breed registration certificate. [All
45 female dairy or breeding animals over six months of age shall have
46 been calfhooed vaccinated against brucellosis.] Animals consigned for
47 slaughter shall be sold only to owners or agents of slaughtering
48 establishments and moved directly to such slaughtering
49 establishments for immediate slaughter or slaughter that occurs not
50 later than seventy-two hours after the time of sale. All stables and sales
51 rings shall be kept clean and shall be suitably disinfected prior to each
52 sale. The provisions of this section shall not apply to the sale of an
53 individual herd at an auction conducted by the owner thereof. Any
54 person, or any officer or agent of any corporation, who violates any

55 provision of this section or who obstructs or attempts to obstruct the
56 Commissioner of Agriculture or the commissioner's deputy or
57 assistants in the performance of their duty, shall be guilty of a class D
58 misdemeanor.

59 (b) Any person, firm or corporation licensed pursuant to subsection
60 (a) of this section shall make, execute and thereafter maintain on file
61 with the Commissioner of Agriculture a bond to the state, satisfactory
62 to the commissioner, to secure the performance of obligations incurred
63 in this state or in lieu thereof, and a bond filed with the United States
64 Department of Agriculture in the amount as required herein, pursuant
65 to the provisions of the Packers and Stockyards Act (7 USC 181 et seq.).
66 The amount of each such bond shall be based on the amount of one
67 average sale of such person, firm or corporation. One average sale shall
68 be computed by dividing the total yearly gross receipts from the sale of
69 all livestock during the preceding twelve months by the number of
70 sales during such time, provided the number of sales used to compute
71 one average sale shall not be greater than one hundred thirty. If the
72 amount of one average sale is ten thousand dollars or less the amount
73 of the bond shall be ten thousand dollars. If the amount of one average
74 sale is more than ten thousand dollars but not more than twenty-six
75 thousand dollars, the amount of the bond shall be not less than the
76 next multiple of two thousand dollars above such amount. If the
77 amount of one average sale is more than twenty-six thousand dollars
78 but not more than thirty thousand dollars, the amount of such bond
79 shall be thirty thousand dollars. If the amount of one average sale is
80 more than thirty thousand dollars, the amount of the bond shall be not
81 less than the next multiple of five thousand dollars above such
82 amount.

83 (c) Any person, firm or corporation licensed pursuant to subsection
84 (a) of this section shall maintain accurate records of the name and
85 address of the seller and buyer of livestock, the name of the livestock
86 dealer, broker or transporter and any other party involved in each
87 transaction, the official identification for each animal, and the

88 destination or other disposition for each animal entering the premises
89 of the commission sales stables. Such records shall be maintained at
90 the commission sales stable for a period of three years from the date of
91 sale. Such records or copies of such records shall be made available to
92 the commissioner, or the commissioner's designated representative for
93 inspection not later than twenty-four hours after notice to the licensee
94 of such request. Any person who: (1) Fails to provide the requested
95 documentation to the commissioner, or the commissioner's designated
96 representative; (2) obstructs the commissioner or the commissioner's
97 designated representative in the performance of the department's
98 duties pursuant to this section; or (3) provides false or misleading
99 information to the commissioner or the commissioner's designated
100 representative, shall be fined not more than one hundred dollars per
101 day until the requested, accurate and complete information is
102 provided to the commissioner or the commissioner's designated
103 representative.

104 (d) The sale of wild animals, captive cervidae, pets and companion
105 animals including pet birds and all Psittacine birds is prohibited. The
106 sale of equines shall comply with chapter 438a including obtaining any
107 required licenses. The sale of poultry shall comply with chapter 434
108 including obtaining any required licenses.

109 (e) The commissioner may adopt regulations, in accordance with the
110 provisions of chapter 54, to implement the provisions of this section.
111 Such regulations may include, but are not limited to, requirements for
112 access to on-site inspections by the commissioner or the
113 commissioner's designated representative, specifications concerning
114 the keeping and maintenance of required records and access to such
115 records, animal identification standards, requirements concerning
116 livestock and domestic poultry originating from out of state, animal
117 segregation requirements, animal health, care and handling standards,
118 sanitation standards, facility design and construction requirements,
119 requirements for animals raised for food or fiber production other than
120 livestock, and the establishment of penalties for any violation of the

121 provisions of this section that do not otherwise have a prescribed
122 penalty.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2017</i>	22-277
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ENV *Joint Favorable Subst.*